SUPREME COURT, U. S.
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IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1969

No. 453

CHARLES L. JOLLY, *Appellant*

vs.

MORGAN COUNTY JUNIOR COLLEGE DISTRICT, et al., *Appellees.*

ON APPEAL FROM THE SUPREME COURT OF COLORADO

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Motion to Dismiss

The appellees move for dismissal of the instant appeal pursuant to U.S. Sup.Ct., Rule 16(1.(b), 28 USCA on the basis that the Federal questions sought to be reviewed were not raised before, considered by or expressly passed on by the Supreme Court of Colorado.

Argument in Support of Motion to Dismiss

The Fourteenth Amendment questions are first raised before this Court. They were not presented to, considered by or expressly passed on by the Supreme Court of Colorado. Other than questions of burden and